

- 2 -

**AMENDMENTS TO CLAIMS**

Agent for Applicant respectfully requests the following amendments to the claims without adding any new subject matter, namely:

1. [Currently Amended] A control lever having one end adapted for attachment to a resting device for controlling movement thereof, and another end having a peripheral edge defining a tactile contour for identifying said control lever.
2. [Currently Amended] A control lever as claimed in Claim 1 wherein said tactile contour of said other end is selected from the group of geometrical shapes, circular, triangular, square, rectangular, oval and half circular shapes.
3. [Currently Amended] A control lever as claimed in Claim 1 wherein said other end defines a substantially ~~two-dimensionally~~ two-dimensional peripheral edge defining a tactile shape for identifying said control lever
4. [Original] A control lever as claimed in Claim 1 wherein said control lever is associated with a control guide including information corresponding to said tactile shape and controlled movement of said resting device.
5. [Original] A control lever as claimed in Claim 4 wherein said information comprises a visual representation corresponding to said tactile shape.
6. [Original] A control lever as claimed in Claim 4 wherein said information comprises audio information corresponding to said tactile shape and controlled movement of said resting device.
7. [Currently Amended] A plurality of levers each having one end adapted for attachment below a chair seat for controlling separate movements of a chair, each said lever having another end having ~~tactile shapes~~ a periphery defining a shape different from one another so as to tactually distinguish said levers

N:\comp\leg\rc2\lego\Centric\Lever Arm\USResponse 1.doc

- 3 -

8. [Currently Amended] A plurality of levers as claimed in Claim 7 comprising at least two levers having a tactile periphery defining a shape selected from the group of circular, square, rectangular, oval and half circular shapes.
9. [Currently Amended] A plurality of levers as claimed in Claim 8 wherein said ~~tactile shapes are planar having a peripheral edge defining said shape~~ another end is planar.
10. [Currently Amended] A plurality of levers as claimed in Claim 9 wherein said ~~[[planar]]~~ planar end is disposed substantially horizontally relative said chair seat
11. [Original] A plurality of levers as claimed in Claim 10 where each of said levers are associated with a control guide including a visual representation corresponding to said shape and information corresponding to said separate movements of said chair respectively.
12. [Original] A plurality of levers as claimed in Claim 11 wherein said control guide is adapted to be carried by an arm of said chair.
13. [Currently Amended] A chair having a selectively moveable back and seat and a plurality of control means attached below said seat for activating selected movements of said back and seat, wherein at least one of said control means includes an end having a peripheral edge defining ~~having a tactile a shape~~ different from the shape of the peripheral edge ~~[[an end]]~~ of another one of said control means.
14. [Original] A chair as claimed in Claim 13 wherein said ends of said control means are substantially flat and have a peripheral edge defining said different tactile shapes.
15. [Original] A chair as claimed in Claim 14 further including a guide associated with said chair having indicia for correlating said different tactile shapes of said control means and their associated movements of said back and chair.
16. [Original] A chair as claimed in Claim 15 wherein said indicia includes audio information.

N:\mpt\gierczak\rgo\Centric\Lever Arm\US\response 1.doc

- 4 -

17. [Original] A chair as claimed in Claim 15 wherein said indicia includes visual information.

18. [Currently Amended] A chair having a selectively moveable back and seat including:

- (a) a first lever control arm having one end attached below said seat, and another end ~~presenting~~ having a first geometric ~~[[a tactile]]~~ shape, said first lever control arm activating a selective movement of said back or seat;
- (b) a second lever control arm having one end attached below said seat ~~[[at]]~~ and another end ~~presenting a tactile~~ having a second geometric shape, said second lever control arm activating another selective movement of said back or seat different from said first lever control arm,
- (c) ~~said tactile shape of said second lever control arm~~ second geometric shape different from said first geometric shape ~~tactile shape of said second lever control arm;~~
- (d) ~~a guide presented by said arm of said chair for displaying said different geometric shapes and the associated movements of said first and second lever control arms.~~

19. [Original] A chair as claimed in Claim ~~[[18]]~~ 23 wherein said guide comprises a display including:

- (a) a first button visually corresponding to said ~~[[tactile]]~~ first geometric shape of said first lever arm;
- (b) a second button visually corresponding to said ~~[[tactile]]~~ second geometric shape of said second lever arm.

~~21. 20~~ [Currently Amended] A display as claimed in Claim 19 wherein said display includes information corresponding to said different ~~[[tactile]]~~ geometric shapes and associated movements of said first and second lever control arms.

N:\corp\legisl\246790\ControlLever Arm\US\response 1.doc

- 5 -

~~22- 21~~ [Currently Amended] A display for a chair having a plurality of lever control arms with ends having different peripheral tactile shapes, for activating selected orientations of a back or seat of said chair respectively comprising

- (a) a screen having a visual representation corresponding to each said different peripheral tactile shapes;
- (b) information associated with visual representations of said peripheral tactile shapes and corresponding to said selected orientations activated by said plurality of said lever control arms respectively.

~~23- 22~~ [Currently Amended] A method of correlating a plurality of separate movements of a chair with a plurality of lever control arms activating said movements respectively comprising the steps of:

- (a) providing a plurality of lever control arms with ends having different peripheral tactile contour shapes;
- (b) displaying a guide having said peripheral shapes with information associated with said movements regarding each said plurality of lever control arms and peripheral shapes respectively.

23 [New] A chair as claimed in claim 18 further including a guide presented by said arm of said chair for displaying said different geometric shapes and the associated movements of said first and second lever control arms.

Agent for Applicant respectfully advises that the original claims were misnumbered 1-19, 21-23 and have been amended herein to read 1-22 plus the addition of new claim 23.

**35 U.S.C. § 102(e)**

Examiner stated that claims 1-21 and 23 were rejected as being anticipated by Matern.

Agent for Applicant respectfully states that the claims as amended overcome Matern on the basis that Matern does not teach:

a control lever having one end adapted for attachment to a resting device for controlling movement thereof and another end having a peripheral edge defining a tactile contour for identifying the control lever.

Moreover Matern does not teach:

a plurality of levers each having one end adapted for attachment below a chair seat for controlling separate movements of a chair, each said lever having another end having a periphery defining a shape different from one another so as to tactilely distinguish the levers.

Furthermore Matern does not teach:

a chair having a selectively moveable back and seat including:

- (a) a first lever control arm having one end attached below the seat, and another end having a first geometric shape, said first lever control arm activating a selective movement of said back or chair;
- (b) a second lever control arm having one end attached below said seat and another end having a second geometric shape, different from said first geometric shape;
- (c) a guide presented by said arm of said chair for displaying said different geometric shapes and the associated movements of said first and second lever control arms.

Matern on the other hand teaches:

N:\corp\leg\intel\ergo\Centric\Lever Arm\USResponse 1.doc

- 7 -

a chair control actuator, such as a chair control paddle, is provided with a **surface relief**. The **surface relief** depicts a chair in two different positions illustrative of different chair positions which may result from use of the actuator (see col. 1, lines 41-43);

a **recessed area** 62 with a surface relief 64 being a pictograph of chair 20 (Fig. 1) in two different positions. The two positions are illustrative of different chair positions which may result from use of actuator 52 (see col. 2, lines 39-43).

In other words Mattern does not teach peripheral tactile shapes or different geometric shapes but rather recessed areas.

- 8 -

**35 U.S.C. § 103(a)**

Examiner stated that claim 22 was rejected as being unpatentable over Matern in view of Carstens as well as being unpatentable over Matern in view of May, as well as being unpatentable over Matern in view of Di Re, as well as view of Matrern in view of Dayton, as well as being unpatentable over Matern in view of Takemoto, as well as being unpatentable over Matern in view of Wells, and finally has being unpatentable over Matern in view of Hocking.

Kindly note that none of the prior art teaches a plurality of lever control arms with ends having different peripheral tactile shapes, or different geometric shapes.

Matern in Fig 2 teaches two pedals 50 and 54 having the same shape. Furthermore none of the patents cited by the Examiner teach the invention as claimed in the amended claims.

N:\comp\gierczal\ergo\Centric\Lever Arm\USResponse 1.doc